



OFFICE OF THE DISTRICT ATTORNEY

P.O. Box 1748, Austin, TX 78767

Telephone 512/854-9400

Telefax 512/854-8994

**MARGARET MOORE
DISTRICT ATTORNEY**

**MINDY MONTFORD
FIRST ASSISTANT**

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Contact: Steven Darden
512/854-1759

Travis County District Attorney Margaret Moore today released the following statement:

The Travis County District Attorney's Office has concluded its review of the Austin Police Department's investigation of the facts and circumstances of the December 15, 2017, officer-involved shooting involving Aubrey Garrett, and determined that this office declines to prosecute Officer Alfredo Delvalle for his actions during this incident. In accordance with the Office's policies, District Attorney Margaret Moore will not present this case to a grand jury for possible indictment and has issued a declination letter with this decision.

Aubrey Garrett has been charged with Murder following this incident, and his case is pending in felony court.

This office has a policy of issuing declination letters setting out a thorough factual and legal analysis of any officer-involved shooting where the elected District Attorney has determined a grand jury review of the officer's use of force is not necessary. However, because there are pending criminal cases arising out of these incidents in the instant case, the accused's right to a fair trial and prosecutorial ethical rules prohibit the release of such information.

Therefore, a complete analysis in this case will be published after the criminal matters against Aubrey Garrett have been resolved.